THE HON'BLE SRI JUSTICE P.S. NARAYANA

Writ Petition No.16443 of 2006

Date: 23rd October, 2006

Between :-

Kothuru Moshe .. Petitioner

And

Gram Panchayat, Chodavaram Mandal rep. by its Secretary, Ramachandrapuram Mandal, East Godavari District. .. Respondent

THE HON'BLE SRI JUSTICE P.S. NARAYANA

Writ Petition No.16443 of 2006

ORDER:-

The Writ Petition is filed for a Writ of Mandamus declaring the action of the respondent in taking steps to remove the structures on the western side in survey No.460/5 of Chodavaram village pursuant to the notice dt. 10-7-2006 & 13-7-2006 pending time specified in the notice got issued by the petitioner dated 29-7-2006 under Section 138 A of the Panchayat Raj Act as illegal, arbitrary and consequently direct the respondent not to remove or meddle with the said property and to pass such other suitable orders.

Several factual details are narrated in the affidavit filed in support of the Writ Petition. In the light of the factual details, this Court is of the considered opinion that the remedy of the petitioner is to approach the competent Civil Court. In view of the same, no further orders need be passed in the Writ Petition. The Writ Petition is accordingly closed. No order as to costs.

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Justice P.S.Narayana

23rd October, 2006

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